



DOCKET NO: T00485/70005 INB

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Richard W. Berenson  
Serial No: 09/996,089  
Confirmation No: 2527  
Filed: November 27, 2001  
For: PROGRAM GUIDE SYSTEM  
Examiner: Not Yet Assigned  
Art Unit: 2152

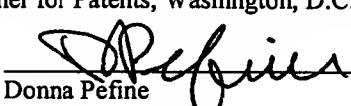
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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, Washington, D.C. 20231, on the 28 day of August, 2002.

  
\_\_\_\_\_  
Donna Pefine

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith are the following documents:

- Information Disclosure Statement  
 Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts.

A check is not enclosed. If a fee is required, the Commissioner is hereby authorized to charge Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,  
**Richard W. Berenson, Applicant**

By: 

Ilan N. Barzilay, Reg. No. 46,540  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, Massachusetts 02210-2211  
Telephone: (617) 720-3500

Docket No. T00485/70005 INB  
Date: August 22, 2002  
**XNDDX**



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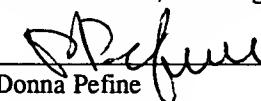
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\_\_\_\_\_  
Donna Pefine

Commissioner for Patents  
Washington, D.C. 20231

STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case. No fee or certification is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

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Serial No.: 09/996,089  
Confirmation No.: 2527

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Art Unit: 2152

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1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his or her own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,  
**Richard W. Berenson, Applicant**

By: 

Ilan N. Barzilay, Reg. No. 46,540  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, Massachusetts 02210-2211  
Telephone: (617) 720-3500

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Date: August 22, 2002

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FORM PTO-1449/A and B (Modified)				APPLICATION NO.: 09/996,089	ATTY. DOCKET NO.: T00485/70005 INB
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				FILING DATE: November 27, 2001	CONFIRMATION NO.: 2527
				APPLICANT: Richard W. Berenson	
Sheet	1	of	I	GROUP ART UNIT: 2152	EXAMINER: Not Yet Assigned

**U.S. PATENT DOCUMENTS**

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
1	5,758,259	A	Lawler		05/26/1998
2	5,828,419	A	Bruette, et al.		10/27/1998

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**FOREIGN PATENT DOCUMENTS**

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			
3	WO	00/40017	A1	Schoaff, et al.	07/06/2000		
4	WO	00/58833	A1	Beach, et al.	10/05/2000		

**OTHER ART – NON PATENT LITERATURE DOCUMENTS**

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)

**EXAMINER** \_\_\_\_\_ **DATE CONSIDERED** \_\_\_\_\_

#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

\*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. \_\_\_, filed \_\_\_, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE - Must provide a copy of any patent, publication, other information listed, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]